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02/25/02

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J1046 U.S. PTO  
02/25/02  
02/25/02

Date: February 25, 2002

Docket No.: 1259-0223P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a  continuation  divisional  
 continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 08/900,118 filed on July 25, 1997,  
the entire contents of which are hereby incorporated by  
reference,  
by

Yoshinori OHTA

for

AUTOMATIC FOCUSING DEVICE FOR FILM SCANNER

1.  Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2.  The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$740.00		\$370.00	
NUMBER FILED		NUMBER EXTRA		RATE FEE	
<b>TOTAL CLAIMS</b>		8-20 = 0		x 18 = \$0.00	
<b>INDEPENDENT CLAIMS</b>		3-3 = 0		x 84 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED				+ \$280.00	
		<b>TOTAL</b>		\$740.00	
				\$0.00	

3.  A check in the amount of \$740.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4.  Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Amend the specification by inserting before the first line thereof the following:

a.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 08/900,118, filed on July 25, 1997, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application Nos. 8-197809 filed in JAPAN on 07/26/96 and 8-216390 filed in JAPAN on 08/16/96 under 35 U.S.C. § 119.--

b.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 08/900,118, filed on July 25, 1997 and for which priority is claimed under 35 U.S.C. § 120. Application No. 08/900,118 is the national phase of PCT International Application No. PCT/\_\_\_\_/\_\_\_\_ filed on \_\_\_\_ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119.-

6.  Enclosed is/are eleven (11) sheet(s) of formal drawings and/or photographs.

7a.  A statement claiming small entity status was filed in prior Application No. 08/900,118 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.

7b.  The current application qualifies for small entity status.

8.  The prior application is assigned to Fuji Photo Film Co., Ltd.

9.  A Preliminary Amendment is enclosed.

10a.  Priority of Application No(s). 8-197809 filed in JAPAN on 07/26/96 and Application No. 8-216390 filed in JAPAN on 08/16/96 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on July 25, 1997.

10b.  Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_ Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 119 are hereby reclaimed.

11.  An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

12.  Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
or  
Customer No. 2292

13.  An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 08/900,118 in order to establish co-pendency with the present application.

14.  Also enclosed herewith is the following:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Marc S. Weiner, #32,181

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1259-0223P

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Attachments

(Rev. 11/15/01)